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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/049,386	02/11/2002	John M. North	HFC-149US (20104.57)	3801
	7590 12/11/2003		EXAMINER	
Michael I Wolfson Cowan Liebowitz & Latman 1133 Avenue of the Americas New York, NY 10036-6799			GOFF II, JOHN L	
			ART UNIT	PAPER NUMBER
			1733	
DATE MAILED: 12/11/2003				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/049,386	NORTH ET AL.	
	Examiner	Art Unit	
	John L. Goff	1733	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 September 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 18 and 24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 18 and 24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
 * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) : - | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election of Group III, claim 18, in the paper received 9/15/03 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Claim Rejections - 35 USC § 103

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).
3. Claims 18 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meeker (U.S. Patent 5,665,185) in view of Mavlyanova et al. (Abstract of SU 1754468) and Wiegand (U.S. Patent 4,088,805).

Meeker discloses an apparatus for preparing a laminate containing chopped glass fiber that is used to make an automobile headliner. Meeker teaches the apparatus comprises a nonwoven scrim supply, a thermoplastic barrier film supply, rollers for drawing the scrim and

film together as a composite therethrough, a glass fiber chopper for depositing glass fiber on the barrier film, an oven for heating the composite under pressure, and conventional cooling means for cooling the composite under pressure to adhere the glass fiber to the barrier film (Figures 1 and 2 and Column 2, lines 20-28, 37-39, 42-46, and 59-63 and Column 3, lines 3-7, 30-35, and 41-46). Meeker is silent as to a thermoplastic adhesive dispenser for dispensing adhesive on the barrier film. However, it is noted that while Meeker teaches the glass fibers adhere to the thermoplastic barrier film without adhesive, Meeker does not exclude depositing a powdered adhesive along with the chopped glass fibers. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include in the apparatus taught by Meeker a thermoplastic adhesive dispenser as it was well known in the art to include a powdered adhesive with the chopped glass fibers for improved adhesiveness between the fibers and the thermoplastic barrier layer as shown for example Mavlyanova et al.

Regarding the cooling means, it is noted Meeker teaches using conventional cooling means such as, for example, air cooling. However, it would have been well within the purview of one of ordinary skill in the art at the time the invention was made to use as the cooling means in the apparatus taught by Meeker any of the well known and conventional cooling means in the art such as cooling nip rollers or air cooling as both were well known alternative cooling means as shown for example by Wiegand.

Mavlyanova et al. disclose a process for forming a fiber reinforced thermoplastic sheet comprising providing a thermoplastic barrier film, depositing powdered adhesive (using a powdered thermoplastic adhesive dispenser) and chopped glass fibers on the barrier film to form

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a composite, and then applying heat and pressure to the composite to bond the fibers to the film and form a fiber reinforced thermoplastic sheet (See the abstract).

Wiegand disclose an apparatus for forming a composite laminate comprising contacting the composite materials together followed by heating under pressure and cooling under pressure where the cooling under pressure is performed by any of the alternative methods known in the art such as cooling nip rolls, water bath, forced air cooling, ambient cooling, etc. (Figure 1 and Column 2, lines 54-66).

Conclusion


4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **John L. Goff** whose telephone number is **703-305-7481** (after December 2003 the telephone number will be 571-272-1216). The examiner can normally be reached on M-Th (8 - 5) and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on 703-308-3853. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.



John L. Goff
December 5, 2003



JEFF H. AFTERGUT
PRIMARY EXAMINER
GROUP 1300